



# TASK FORCE ON AUTONOMOUS VEHICLES

*Framing the Future for Autonomous Vehicles in Oregon*



## Subcommittee Recommendations for Consideration – August 15, 2018

The following includes recommendations referred back to the subcommittees and refined since the July 12, 2018, Task Force meeting as well as new proposals from the subcommittees.

Subcommittee	Recommendations
<b>Licensing and Registration</b>	<p>Safety requirements:</p> <ul style="list-style-type: none"><li>• Certification that vehicle can comply with all state vehicle and traffic laws within its operational design domain, or that an exemption has been granted by ODOT.</li></ul> <p>Additional safety requirements for testing without a human backup driver:</p> <ul style="list-style-type: none"><li>• Secure link to remote operator who can assume control of the vehicle or have the vehicle achieve minimal risk condition.</li></ul> <p>Revoking permits statement of principle:</p> <ul style="list-style-type: none"><li>• The agency responsible for issuing testing permits must also have the power to revoke permits through an administrative process.</li><li>• Automated vehicle legislation should direct ODOT to adopt definitions for automated vehicles and users that reflect the different roles and responsibilities of vehicle systems and human occupants at different levels of automation. The definitions from the SAE J3016 standard are currently the accepted industry and government standard for vehicles, but approaches vary for definitions of drivers/operators.</li><li>• Statement of principle: The definitions for automated vehicle users should clarify when the human is solely a passenger and when the human has responsibility for all or part of the driving task. Additionally, the user definitions should acknowledge that in a single trip, the human could be a passenger for one portion and have driving responsibilities for another portion.</li></ul>

Subcommittee	Recommendations
<p style="text-align: center;"><b>Law Enforcement and Crash Reporting</b></p>	<p>Vehicle identification requirements:</p> <ul style="list-style-type: none"> <li>• The automated vehicle manufacturer testing automated passenger vehicles must display a small decal on the rear window of the testing vehicle to indicate to law enforcement that it is an automated testing vehicle. Consideration should be given to ensure that the decals are discreet and identifiable only by law enforcement. ODOT should create minimum standards for a decal but give discretion to manufacturers to design decals that can be applicable across different states and jurisdictions.</li> <li>• Manufacturers testing automated commercial motor vehicles do not need to display an identifying decal, but will need to provide ODOT and state police with images of the testing vehicles, information about routes, and notification of testing dates and times, similar to ODOT’s current voluntary notification process for automated vehicle testing.</li> </ul> <p>Crash and Incident Reporting:</p> <ul style="list-style-type: none"> <li>• In the event of a crash or incident involving an automated vehicle, insurance and registration information must be provided.</li> <li>• Current laws regarding the reporting of crashes are sufficient and should apply to automated vehicles and test drivers.</li> <li>• Oregon’s crash report forms should be updated to cover additional information on automated vehicles, including the vehicle’s SAE level of automation and whether the autonomous technology was engaged at the time of the crash or incident.</li> <li>• After discussion and consideration, the Subcommittee on Law Enforcement and Crash Reporting recommends waiting for guidance from the federal government regarding event data recorders, in recognition of state and federal roles in regulating motor vehicle operation.</li> </ul> <p>Traffic Laws:</p> <ul style="list-style-type: none"> <li>• Current distracted driving laws are sufficient for testing of automated vehicles and should apply to test drivers of automated vehicles.</li> <li>• The subcommittee recognizes that Oregon law is currently sufficient to cover most possible law enforcement interactions with automated vehicles, but in the future the law may need to adapt as the technology continues to develop.</li> </ul>

Subcommittee	Recommendations
<b>Insurance and Liability</b>	<ul style="list-style-type: none"> <li>• For automated vehicle testing, require \$5 million umbrella insurance per event with a caveat to maintain existing coverages. Umbrella coverage should include accommodation for business auto policies to cover less-than-catastrophic events. Coverage should not, however, be designed to roll back consumer protections in the Insurance Code or the Vehicle Code (e.g., personal injury protection, underinsured/uninsured motorist coverage). After discussion and consideration, the Insurance and Liability Subcommittee does not recommend making available alternative financial instruments for proving financial responsibility.</li>   <li>• For automated vehicle testing, preserve and store some form of standardized, non-proprietary recorded data from a crash or incident involving an automated vehicle for the duration of the applicable statute of limitations. Data should be capable of being shared with law enforcement, government entities, or parties involved in an incident, subject to appropriate legal process. The Insurance and Liability Subcommittee would be concerned if the holder of the data charged unreasonable fees for its disclosure.</li>   <li>• For any future discussions concerning highly autonomous vehicles in Oregon, the Insurance and Liability Subcommittee wishes to raise the following questions for consideration: <ul style="list-style-type: none"> <li>○ Establishing minimum insurance requirements for commercial autonomous vehicles;</li> <li>○ Defining the operator of an automated vehicle/defining who is in control of the vehicle, including in the case of automated ride-hailing services.</li> <li>○ Determining the extent of municipal/government entity liability in the event that the entity deploys autonomous vehicles in an official capacity;</li> <li>○ Determining to what extent automobile manufacturers are liable for repairs and software updates; and</li> <li>○ Sorting out who is assigned liability vs. who is required to maintain coverage.</li> </ul> </li> </ul>
<b>Cybersecurity and Long-Term Policy</b>	<p><u>Cybersecurity Recommendations</u></p> <ol style="list-style-type: none"> <li>1. To aid with transparency with the testing process, to increase public trust in autonomous vehicle design and cybersecurity practices, and to aid in the effort to protect related cybersecurity infrastructure, the subcommittee encourages manufacturers to work with recognized industry information sharing entities.</li> </ol>

Subcommittee	Recommendations
	<p data-bbox="331 191 846 220"><u>Recommendations for Continuing Work</u></p> <ol data-bbox="380 269 1982 760" style="list-style-type: none"><li data-bbox="380 269 1514 298">2. The subcommittee recommends that an independent workforce study be conducted.</li><li data-bbox="380 347 1982 760">3. The subcommittee recommends including the following principle statements in the 2018 report:<ol data-bbox="428 428 1982 760" style="list-style-type: none"><li data-bbox="428 428 1982 532">a. Policy development for autonomous vehicles should further Oregon’s existing goals and objectives, including: transportation, safety, social equity, greenhouse gas emission reduction, land use planning and development, and economic development.</li><li data-bbox="428 581 1982 760">b. Policy makers are evaluating both the impacts and opportunities the deployment of AVs will have in communities. In many cases, decision-makers are aiming to shape policies to ensure AVs can improve traffic safety and social equity, decrease congestion, boost transportation choices, protect consumers, and support a strong economy. Useful information and data will be necessary to assist in that effort, while protecting consumer privacy and proprietary information.</li></ol></li></ol>